

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:

W.R. GRACE & CO., *et al.*,

Debtors.

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Chapter 11

Case No. 01-01139 (JKF)
Jointly Administered

**DECLARATION OF SCOTT WERT IN SUPPORT OF THE FOSTER & SEAR, LLP.'S MOTION
FOR AN EXTENSION OF TIME TO RESPOND TO THE
W.R. GRACE ASBESTOS PERSONAL INJURY QUESTIONNAIRE**

1. My name is Scott Wert. I am an attorney practicing law in the state of Texas with the law firm of Foster & Sear, LLP. Foster & Sear represents certain individuals with claims against W.R. Grace, et al. ("Debtors") for personal injuries caused by exposure to asbestos-containing products. I am familiar with (i) my firm's use of consulting expert witnesses, (ii) communications with our clients regarding their claims, including the medical aspect of their claims, and (iii) the terms of typical settlements reached with defendants in asbestos litigation.

2. Foster & Sear has and continues to represent hundreds of personal injury claimants with claims against the estate of W.R. Grace & Co. ('W.R. Grace'). My responsibilities at Foster & Sear include general oversight of claims processing against W.R. Grace on behalf of clients of Foster & Sear.

3. Foster & Sear has already supplemented questionnaires on behalf of around 500 claimants to whom Grace originally sent questionnaires to be completed. Foster & Sear needs to complete a further 997 questionnaires for claimants whom it represents and submitted a timely

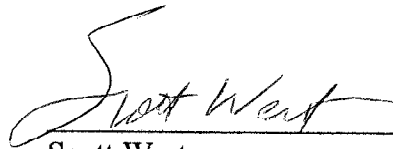
proof of claim, but for whom Grace did not provide a questionnaire initially. Foster & Sear intends to provide these questionnaires in compliance with this Court's rulings, and made a good faith effort to provide the questionnaires to Grace before the January 12, 2007 deadline.

4. Despite this effort, Foster & Sear was unable to complete this undertaking before the deadline. With a further 997 questionnaires to compete and submit, it proved to be a physical impossibility to finish the task before January 12, 2007. Attorneys and staff have been working diligently to comply with the Court's order and properly and accurately supplement the questionnaires, but it is a small firm, with many other pressures on the time of professionals, and numerous other cases requiring attention.

5. Foster & Sear will be able to submit the new questionnaires with an additional 4 months. Foster & Sear undertakes to exercise appropriate diligence to send completed questionnaires to Rust Consulting as quickly as reasonably possible on a rolling basis.

I Declare Under Penalty of Perjury that the Foregoing is True and Correct.

Dated: January 22, 2007.



Scott Wert